

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Thomas J. Shaw

Serial No.: 09/617,868

Filing Date: July 17, 2000

Group: 3767

For: Retractable Syringe Assembly Designed for One Use

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the requirements of 37 C.F.R. §§ 1.97 and 1.98, attached is Form PTO/SB/08A listing supplemental information for consideration by the Office in connection with its examination of the above-identified patent application.

Applicant submits that no representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of this material in any way reflects the relative pertinence. The listing on the attached Form PTO/SB/08A is not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that the items listed are properly citable against the above-identified application as prior art.

Notification Pursuant to MPEP §2001.06(c)

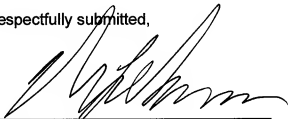
On or about June 15, 2007, Retractable Technologies, Inc. ("RTI"), exclusive licensee of United States Patent Nos. 5,578,011, 5,632,733 and 6,090,077, sued Becton Dickinson and Company ("BD") for infringement of those patents in the United States District Court for the Eastern District of Texas, Marshall Division (Civil Action No. 2:07-cv-00250-DF). Thomas Shaw, the inventor of the subject application, is also now a plaintiff in the suit. BD has not yet filed an answer in the litigation and has not asserted any ground of invalidity or unenforceability of any of the patents. The patents in suit issued on prior applications in the family of applications upon which Applicant's claim of priority for the claims in the instant application are based.

On or about September 6, 2007, BD and MDC Investment Holdings, Inc. ("MDC") sued RTI for infringement of United States Patent Nos. 6,179,812 and 7,090,565, which BD has licensed from MDC, in the United States District Court for the Eastern District of Texas, Texarkana Division (Civil Action No. 507CV137). These two patents to Botich et al. are being asserted against products marketed by RTI that are believed to fall within the scope of at least some of the claims pending in the instant application. The collection of references listed on the accompanying Form PTO/SB/08A was compiled during a review of the prosecution history of the patents asserted in the second case subsequent to filing of the suit on September 6, 2007.

Applicant respectfully submits that the invention is patentable over the enclosed document listed on Form PTO/SB/08A.

No fee is believed to be due for submission of this paper. If this is incorrect, the Commissioner is hereby authorized to charge any fee due to Locke Lord Bissell & Liddell LLP Deposit Account No. 12-1781.

Respectfully submitted,



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Date: November 2, 2007

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